

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

LAURIE BOYER, *et al.*

Plaintiffs,

v.

SCOTT BROTHERS INVESTMENT
CORPORATION, *d/b/a Waterways
Apartments of Lake St. Louis,*

Defendant.

Case No.: 4:11CV01173 HEA

JURY TRIAL DEMANDED

**PLAINTIFFS' EXPEDITED MOTION FOR ORAL ARGUMENT IN
CONNECTION WITH ITS MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION PURSUANT TO RULE 65**

Plaintiffs Laurie Boyer and Patricia Susan Boyer (collectively "the Boyers"), pursuant to Local Rule 78-4.02, state the following:

1. Plaintiffs seek to enjoin a state court eviction proceeding for reasons set forth in the Memorandum in Support of Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction Pursuant to Rule 65.
2. Defendant's response is due August 1, 2011.
3. The original return date for the state court matter, Cause No. 1111-CV06124, in the Circuit Court of St. Charles County, is Monday, August 1, 2011.
4. Counsel for Plaintiffs has spoken to counsel for Defendant who related that Defendant agrees to continue the state court proceeding to the August 22, 2011 docket in that matter. As a result, an immediate hearing is not necessary.
5. If possible Plaintiff respectfully requests (and Defendant does not object) that the Court set the matter for hearing at a time convenient for the Court between August 9, 2011 and

August 19, 2011, before the state court action proceeds to a subsequent court date. This will accommodate defense counsel's return from vacation.

WHEREFORE, the Boyers respectfully request that the Court set Plaintiff's Motion for Temporary Restraining Order and/or Preliminary Injunction for hearing between August 9, 2011 and August 19, 2011, and grant such further relief deemed appropriate.

Dated: July 27, 2011

Respectfully submitted,

/s/ Andrew W. Kuhlmann

Andrew W. Kuhlmann #6294407IL

KUHLMANN LLC

1926 Chouteau Avenue

Saint Louis, Missouri 63103

Telephone: (314) 621-3267

Facsimile: (314) 627-5970

andrew@kuhlmannfirm.com

CERTIFICATE OF SERVICE

I hereby certify that on July 27, 2011 I electronically filed the foregoing, which was served through ECF on all attorneys of record. In addition, I served the foregoing by electronic mail to attorneys for Defendants at:

Randall Reinker

randallr@krhlawfirm.com

Sean O'Hanlon

seano@krhlawfirm.com

/s/ Andrew W. Kuhlmann